

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

-----X
SMITHS MEDICAL ASD, INC.
(FORMERLY LEVEL 1, INC.)

Opposer,

v.

PORTLAND ORTHOPAEDICS PTY LT.

Applicant.
-----X

Opposition No. 91159799

Assistant Commissioner for Trademarks
2900 Crystal Drive
ATTN: TTAB
Arlington, VA 22202-3513

06-18-2004

U.S. Patent & TMO/TM Mail Rpt Dt. #74

CONSENTED-TO MOTION FOR EXTENSION OF
TIME TO FILE ANSWER TO NOTICE OF OPPOSITION

Subject to the approval of the Trademark Trial and Appeal Board, the parties hereto, through their respective attorneys, stipulate that applicant's time for filing its Answer to Notice of Opposition shall be extended thirty (30) days or until July 17, 2004.

Opposer's attorney, Sandra Epp Ryan, has verbally agreed to this extension of time as requested. This additional time is necessary to explore settlement of this matter.

The foregoing request is not being filed for the purposes of mere delay, and favorable consideration and approval of this request is respectfully solicited.

This request is being submitted in triplicate.

Respectfully submitted,

PORTLAND ORTHOPAEDICS PTY LT.



Thomas M. Galgano
Attorney for Applicant
GALGANO & BURKE
300 Rabro Drive, Suite 135
Hauppauge, NY 11788
(631) 582-6161

Date: July 16, 2004

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CERTIFICATE OF MAILING

I hereby certify that this CONSENTED-TO MOTION FOR EXTENSION OF TIME TO FILE ANSWER TO NOTICE OF OPPOSITION is being deposited, in triplicate, this 16th day of July, 2004, with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Trademarks, 2900 Crystal Drive, Arlington, VA 22202-3513.

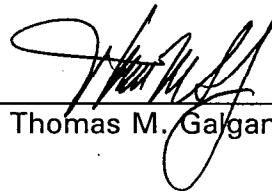


Thomas M. Galgano, Esq.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing CONSENTED-TO MOTION FOR EXTENSION OF TIME TO FILE ANSWER TO NOTICE OF OPPOSITION has this 16th day of July, 2004, been sent prepaid First Class Mail to Sandra Epp Ryan, Esq., at her place of business:

MERCHANT & GOULD P.C.
Box 2910
Minneapolis, MN 55402-0910



Thomas M. Galgano, Esq.